In the High Court of Punjab and Haryana, Chandigarh.

C.W.P. No.7274 of 2007

Date of Decision: 15.5.2007

M/s Hero Honda Motors Limited.

…Petitioner.

Versus

State of Haryana and Another.

…Respondents.

CORAM: HON'BLE MR.JUSTICE M.M.KUMAR
HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr.Avneesh Jhingan, Advocate
for the petitioner.

JUDGMENT

M.M.KUMAR, J. (ORAL)

The petitioner has approached this Court by filing the instant petition under Article 226 of the Constitution for issuance of writ in the nature of Mandamus directing the respondent No.2 to pay statutory interest on delayed refund given in pursuance to assessment orders for the assessment years 1998-99 and 1999-2000.

The petitioner has sent letters dated 30.9.2006 and 16.4.2007 (Annexures P6 and P7), respectively to the respondent No.2 vide which he has been requesting to issue refund vouchers for Rs.40,39,088.67 ps. and Rs.16,10,951.80 ps. as interest on account of delay in refund of the amount of tax. But the petitioner did not hear anything from the respondent No.2 till

date.

After hearing learned counsel, we dispose of the writ petition with a direction to respondent No.2 to decide the calims dated 30.9.2006 and 16.4.2007 (Annexures P6 and P7), respectively, sent by the petitioner, in the light of Division Bench judgment of this Court rendered in the case of **"M/s Muni Roller Flour Mills Pvt. Ltd. v. State of Haryana" (2006) 28 PHT 292 (P&H)** by passing a speaking order within a period of two months from the date of receipt of certified copy of this order.

Petition stands disposed of in the above terms.

(M.M.KUMAR)
Judge

May 15, 2007
dkb

(RAJESH BINDAL)
Judge